

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 6/21/2010

AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: Public Works	ITEM NO. D-29
ITEM DESCRIPTION: Project Retainage Agreement; Public Works & Transit Operations Center; J-2087		PREPARED BY: R. Freese <i>RF</i>
<p>City of Rochester and Alvin E. Benike, Inc. are respectively the Public Contracting Agency and the Contractor on a public contract for a public facility known as <u>Rochester Public Works & Transit Operations Center Phase II, Contract No. J-2087</u>, (the Contract), and the Public Contracting Agency and the Contractor have agreed to use the services of Merchants Investment Services, Agent to secure the retainage needed for the Agreement.</p> <p>The Contractor has requested that the Public Contracting Agency determine the amount of retainage to be reserved from the progress payments relating to the Contract.</p> <p>The Contractor has elected that the retainage be held in alternate form pursuant to Minnesota Statutes 15.73.</p> <p>With respect to the public contract, known as <u>Rochester Public Works & Transit Operations Center Phase II, Contract No. J-2087</u> the City of Rochester, as the Public Contracting Agency, has determined that the amount of retainage shall be five percent (5%) of each monthly payment.</p> <p>The Contractor has elected to deposit with Merchant Investment Services, (Agent) U.S. Treasury Obligations pursuant to Minn. Stat. Section 15.73.</p> <p>The alternate form of retainage may be released pursuant to the Contract and State law upon receipt by Merchants Investment Services of written approval of the contracting officer of the City of Rochester. It is further agreed that the release of the retainage will be given to Merchants Investment Services by the City of Rochester at the time the contract is certified by TSP Architects & Engineers, Architect, to be substantially completed except that if work remains to be done, retainage equal to one and one half (1 ½) times the value of the remaining work will continue to remain on deposit.</p> <p>It is understood that this alternate form of security retainage is subject to all the rights and remedies provided in the Contract and provided for under the laws of the State of Minnesota.</p>		
<p>COUNCIL ACTION REQUESTED:</p> <p>Authorize the Mayor and City Clerk to execute the Agreement.</p>		
<p>COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____</p>		

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 6/21/2010

AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: Public Works	ITEM NO. D-30
ITEM DESCRIPTION: Public Works and Transit Operations Center, J:2087; Change Order #4		PREPARED BY: R. Freese <i>RF</i>

The following value added changes to the PWTOC are recommended for Council approval.

1a.	Public Works PR2. Redesign fees credit for change in structural framing between Grid Lines 15 and 24.8 and east of Grid Line "J".	-\$3,770.20
1b.	Transit PR2. Redesign fees credit for change in structural framing between Grid Lines 15 and 24.8 and east of Grid Lines "J".	-\$2,962.30
2a.	Public Works Redesign fees credit for steel supplier request to change roof beam size throughout areas of D and E.	-\$294.00
2b.	Transit Redesign fees credit for steel supplier request to change roof beam size throughout areas of D and E.	-\$231.00
3.	Transit PR1, Item 1. Delete requirement for colored concrete and trowel finish on north exterior elevation of Area A and C and on west exterior elevations of Area E (Keynote 18, Drawing Sheet A-201). Provide gray cement and form finish in these areas.	-\$7,500.00
	Subtotal Public Works	-\$4,064.20
	Subtotal Transit	-\$10,693.30
	Total	-\$14,757.50

The original Contract Sum was	<u>\$22,707,412.00</u>
The net change by previously authorized Change Order	<u>\$11,966.00</u>
The Contract Sum prior to this Change Order was	<u>\$22,719,378.00</u>
The Contract Sum will be decreased by this Change Order in the amount of	<u>\$14,757.50</u>
The new Contract Sum including this Change Order will be	<u>\$22,704,620.50</u>

COUNCIL ACTION REQUESTED:

Approve Change Order #4 in an amount of -\$14,757.50

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____